IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.6898 OF 2006

Mr.Keshavlal Himmatlal Thakker : Petitioner

(Orig.Applicant/Deft.No.2)

V/s.

Hansa Bipinkumar Bhiwandiwala & Anr. : Respondents

(Orig.Respondents/Plaintiff and Defendant No.1)

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Mr.H.R.Pawar for the petitioner.

Mr.Mahesh Dhuri for respondent no.1.

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CORAM : S.A.BOBDE, J.

DATE : AUGUST 02, 2007.

P.C.

Rule, returnable forthwith.

Heard by consent.

2. After hearing the matter for sometime, the following order is passed by consent:-

O R D E R

The impugned order dated 26.4.2005 is hereby set

aside. The trial Court shall accept the Written Statement, if filed by the petitioner within a period of one week from the next date before the trial Court. The permission to file Written Statement is being granted subject to payment of costs of Rs.5,000/- to the respondent no.1. The hearing of the suit is expedited.

3. The rule is made absolute in the aforesaid terms.

S.A. BOBDE, J.